

PATENT  
450108-4474REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 12, 14-15, and 17 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 12, 14-15, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Blahut (U.S. Patent 5,532,735) in view of Iwafune et al. (U.S. Patent 5,880,720), Smolen (U.S. Patent 5,915,243), Neel (U.S. Patent 5,838,314) and Goldhaber et al. (U.S. Patent 5,855,008). The present invention is directed to a method for ensuring that viewers actually view commercial programs in their entirety. In exchange for viewing the commercial programs, the viewer receives points which can be used to pay for pay programs. However, for at least the following reasons, the present invention is distinguishable over any combination of the cited references.

In the present invention "the response request may be received at any time during the commercial program and displays said response request when the commercial program has been viewed in its entirety by the viewer." (Claims 12 and 15) As disclosed in the specification at

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page 7, at some time during viewing of the commercial program a response request is sent to the viewer's television. The response request is then displayed after the program has been viewed. In this manner, the viewer must watch the entire program to make sure the response request is received (i.e. that it is properly triggered) for display at the end of the program. The Examiner relies on the Neel reference to meet the present invention's response request limitation. (Office Action page 3) However, as noted by the Examiner, Neel discloses forcing the user to view the advertisements before the program is viewed, rather than after viewing as required in the present claims. (Figure 4, step 638, Office Action page 5) Moreover, Neel does not disclose receiving the response request at some (random) time during the program as in the present invention.

Accordingly, for at least this reason, any combination of Blahut, Smolen, Iwafune, Neel, and Goldhaber fails to obviate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

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If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
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